



U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
**ENTERED**  
TAWANA C. MARSHALL, CLERK  
THE DATE OF ENTRY IS  
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

  
United States Bankruptcy Judge

Signed October 26, 2010

MTDX 0013.000727

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:  
PERCY GARLAND RAINEY JR  
CAROL ANN RAINEY

CASE NO: 09-70650-HDH-13  
DATED: October 21, 2010  
HEARING DATE: October 20, 2010  
HEARING TIME: 10:00 AM

INTERLOCUTORY ORDER WITH PREJUDICE

Came to be considered the Trustee's Motion to Dismiss With Prejudice or the Trustee's Notice of Intent to Dismiss in the above styled and numbered case.

The Court finds the case shall be dismissed with prejudice for 180 days without further notice to the Debtor(s), should the Debtor(s) fail to timely make any payment without an explanation acceptable to the Trustee and/or failure of the Debtor(s) to strictly comply with the following conditions:

IF THE DEBTOR IS UNDER A WAGE ORDER, THE DEBTOR MUST REMAIN UNDER THE WAGE ORDER WHILE THE CASE IS PENDING. THE DEBTOR SHALL CURE ARREARS OF \$ 1357.96 BY MAKING 6 MONTHLY PAYMENTS DIRECTLY TO THE TRUSTEE OF \$ 227.00 IN ADDITION TO REGULAR PLAN PAYMENTS BEGINNING NOVEMBER 2010. DEBTOR IS TO RESUME REGULAR MONTHLY PAYMENTS ON NOVEMBER 2010 AND THE 22 ND DAY OF EACH MONTH THEREAFTER.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED: Debtor(s) case shall not be dismissed with prejudice provided debtors timely make all payments called for in the proposed or confirmed Chapter 13 plan and comply with the conditions set out above.

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IT IS FURTHER ORDERED, ADJUDGED AND DECREED: In the event the Debtor's fail to timely make any payment for which an explanation, satisfactory to the Trustee, in the Trustee's sole discretion, is not given, or if the above stated conditions, if any, is not strictly complied with, the Trustee shall submit a proposed "**Order Dismissing Case With Prejudice for 180 Days Pursuant to Interlocutory Order**", file a Final Report, and Disburse the funds on hand per 11 U.S.C. § 1326(a)(2).

### End of Order ###

APPROVED:

/s/ Walter O'Cheskey  
Walter O'Cheskey, Chapter 13 Trustee  
6308 Iola Avenue,  
Lubbock TX 79424

/s/ Monte J White  
MONTE J WHITE  
DEBTOR ATTORNEY